

ORDINANCE NO. 2003 - 058

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA AMENDING THE 1989 COMPREHENSIVE PLAN AS ADOPTED BY ORDINANCE NO. 89-17, AS AMENDED; AMENDING THE **TRANSPORTATION ELEMENT** (TO REMOVE A TIME CONSTRAINT ON THE OKEECHOBEE BOULEVARD CRALLS FOR A SEGMENT LOCATED BETWEEN STATE ROAD 7 AND BENOIST FARMS ROAD); **MAP SERIES, FUTURE 2020 ROADWAY SYSTEM BY NUMBER OF LANES MAP** (TO INCREASE THE GREENVIEW SHORES BOULEVARD SEGMENT FROM SOUTH SHORE BOULEVARD TO WELLINGTON TRACE FROM 2 TO 4 LANES); AND AMENDING ALL ELEMENTS AS NECESSARY; PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE 1989 COMPREHENSIVE PLAN; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, on August 31, 1989, the Palm Beach County Board of County Commissioners adopted the 1989 Comprehensive Plan by Ordinance No. 89-17;

WHEREAS, the Palm Beach County Board of County Commissioners amends the 1989 Comprehensive Plan as provided by Chapter 163, Part II, Florida Statutes; and

WHEREAS, the Palm Beach County Board of County Commissioners have initiated amendments to several elements of the Comprehensive Plan in order to promote the health, safety and welfare of the public of Palm Beach County; and

WHEREAS, the Palm Beach County Local Planning Agency conducted its public hearings on June 13 & 27 and July 11, 2003, 2003 to review the proposed amendments to the Palm Beach County Comprehensive Plan and made recommendations regarding the proposed amendments to the Palm Beach County Board of County Commissioners pursuant to Chapter 163, Part II, Florida Statutes; and

WHEREAS, the Palm Beach County Board of County Commissioners, as the governing body of Palm Beach County, conducted a public hearing pursuant to Chapter 163, Part II, Florida Statutes, on July 21, 2003 to review the recommendations of the Local Planning Agency, whereupon the Board of County Commissioners authorized transmittal of proposed amendments to the Department of Community Affairs for review and comment pursuant to Chapter 163, Part II, Florida Statutes; and

WHEREAS, Palm Beach County received on October 8, 2003 the Department of Community Affairs "Objections, Recommendations, and Comments Report," dated October 3, 2003 which was the Department's written review of the proposed Comprehensive Plan amendments; and

1 WHEREAS, the written comments submitted by the Department of
2 Community Affairs contained no objections to the amendments contained
3 in this ordinance;

4 WHEREAS, on November 24, 2003 the Palm Beach County Board of
5 County Commissioners held a public hearing to review the written
6 comments submitted by the Department of Community Affairs and to
7 consider adoption of the amendments; and

8 WHEREAS, the Palm Beach County Board of County Commissioners has
9 determined that the amendments comply with all requirements of the
10 Local Government Comprehensive Planning and Land Development
11 Regulations Act.

12 NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY
13 COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that:

14 Part I. Amendments to the 1989 Comprehensive Plan

15 Amendments to the text of the following Element of the 1989
16 Comprehensive Plan are hereby adopted and attached to this Ordinance
17 in Exhibit 1:

18 A. Transportation Element, to remove a time constraint on the
19 Okeechobee Boulevard CRALLS for the segment located between
20 State Road 7 and Benoist Farms Road;

21 B. Map Series, Future 2020 Roadway System by Number of Lanes
22 Map, to increase the Greenview Shore Boulevard Segment from
23 South Shore Boulevard to Wellington Trace from 2 to 4
24 lanes;

25 C. Amending all elements as necessary for internal
26 consistency.

27 Part II. Repeal of Laws in Conflict

28 All local laws and ordinances applying to the unincorporated area
29 of Palm Beach County in conflict with any provision of this ordinance
30 are hereby repealed to the extent of such conflict.

31 Part III. Severability

32 If any section, paragraph, sentence, clause, phrase, or word of
33 this Ordinance is for any reason held by the Court to be
34 unconstitutional, inoperative or void, such holding shall not affect
35 the remainder of this Ordinance.
36

1 Part IV. Inclusion in the 1989 Comprehensive Plan

2 The provision of this Ordinance shall become and be made a part
3 of the 1989 Palm Beach County Comprehensive Plan. The Sections of the
4 Ordinance may be renumbered or relettered to accomplish such, and the
5 word "ordinance" may be changed to "section," "article," or any other
6 appropriate word.

7 Part V. Effective Date

8 The effective date of this plan amendment shall be the date a
9 final order is issued by the Department of Community Affairs or
10 Administration Commission finding the amendment in compliance in
11 accordance with Section 163.3184(1)(b), Florida Statutes, whichever is
12 applicable. No development orders, development permits, or land uses
13 dependent on this amendment may be issued or commence before it has
14 become effective. If a final order of noncompliance is issued by the
15 Administration Commission, this amendment may nevertheless be made
16 effective by adoption of a resolution affirming its effective status,
17 a copy of which resolution shall be sent to the Florida Department of
18 Community Affairs, Division of Community Planning, Plan Processing
19 Team. An adopted amendment whose effective date is delayed by law
20 shall be considered part of the adopted plan until determined to be
21 not in compliance by final order of the Administration Commission.
22 Then, it shall no longer be part of the adopted plan unless the local
23 government adopts a resolution affirming its effectiveness in the
24 manner provided by law.

25 APPROVED AND ADOPTED by the Board of County Commissioners of
26 Palm Beach County, on the 24 day of November, 2003.

27
28 ATTEST:

29 DOROTHY H. WILKINSON, Clerk

30 PALM BEACH COUNTY, FLORIDA,

31 BY ITS BOARD OF COUNTY COMMISSIONERS

32 By: Linda G. Hickman

33 Deputy Clerk

34 Karen T. Marcus, Chair

35 APPROVED AS TO FORM AND LEGAL SUFFICIENCY

36
37 [Signature]
38 COUNTY ATTORNEY

39
40 Filed with the Department of State on the 3 day of
41 December, 2003

EXHIBIT 1

A. Transportation Element, Okeechobee Boulevard Constrained Roadway at Lower Level of Service (CRALLS)

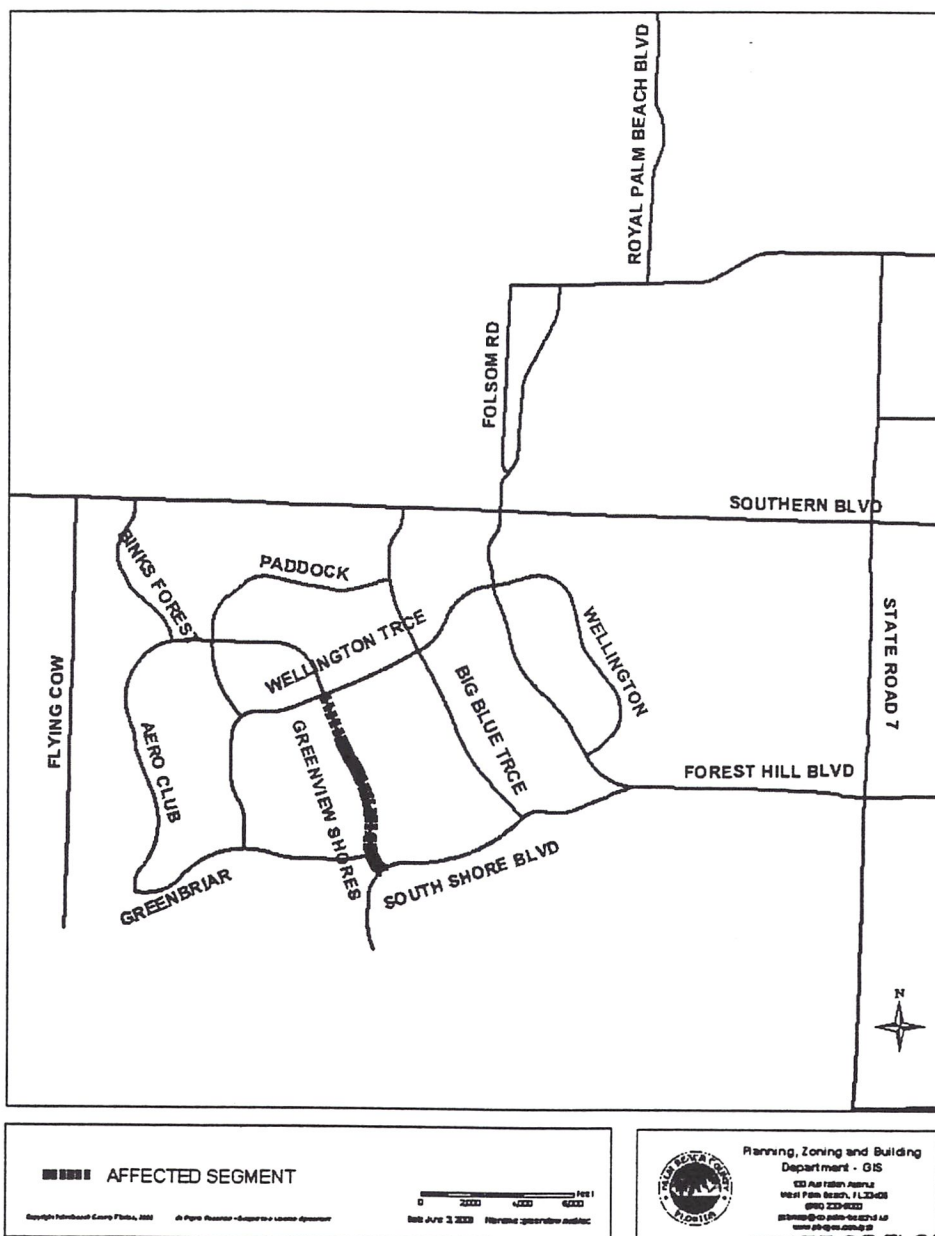
REVISIONS: Delete a time constraint on a CRALLS facility. The deleted text is shown in ~~struck out~~.

REVISED Policy 1.2-f: The Palm Beach County Board of County Commissioners finds the following facilities are constrained facilities and development orders shall be evaluated using the specific level of service standards identified herein instead of the Policy 1.1-b general level of service standards. (*Unchanged text omitted for brevity*)

- 28) This CRALLS is exclusively for the purposes of concurrency of the Parkwood Estates PUD project, and would expire ~~December 31, 2003, or~~ when construction begins on the 8-lane widening of Okeechobee Boulevard, whichever comes first.

B. Future 2020 Roadway System by Number of Lanes Map, to revise with regards to Greenview Shores Boulevard.

REVISIONS: Increase the Greenview Shores Boulevard segment from South Shore Boulevard to Wellington Trace from 2 to 4 lanes on the Future 2020 Roadway System Map.



STATE OF FLORIDA, COUNTY OF PALM BEACH
I, DOROTHY H. WILKEN, ex-officio Clerk of the
Board of County Commissioners certify this to be a
true and correct copy of the original filed in my office
on November 24, 2003
DATED at West Palm Beach, FL on 12/17/03
DOROTHY H. WILKEN, Clerk
By: W. Earl Brown
Transportation Amendments